IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

and
HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 12586 of 2004

Between:

1 Sri Raghu Rama Modern Rice Mill, Satyanarayanapuram, Nidamanoor Mandal, Nalgonda District, rep by its Partner
Lankalapalli Raghuram, S/o. Suryaprakashrao, age 30 years.
2 M/s. Laxmi Sai Rice Corporation, Shankapuram, Nidamanoor Mandal, Nalgonda District,
rep by its Partner Somarapu Yadagiri, S/o. Narsaiah, age 40 years.
3 Mittapalli Lokanandham, Food Grains & General Merchants (H.O)., Aliya (B.O.)
Nidamanoor, Nidamanoor Mandal, Nalgonda Dt. rep by its Prop. Mittapalli Lokanadham,
S/o. Rajamallaiah, age 55 years
4 Sri Gayathri Rice Corporation, Miryalguda, Nalgonda Dt. rep by its Partner Golla Rangaiah, S/o. Venkaiah,
5 Jagruthi Rice Industries, Miryalguda, Nalgonda Dt., rep by its Partner Chillamcherla Venkateswarlu,
S/o. Lingaiah, age 47 years

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, rep by its Secretary, Food & Agriculture (Marketing) Dept., Secretariat, Hyderabad.
2 The Director of Marketing, Govt., of A.P. Hyderabad.
3 The Agricultural Market Committee, Miryalaguda, Nalgonda District. rep by its Secretary
4 The Agricultural Market Committee, Midamanoor, Nalgonda District, rep by its Secretary.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare that rice is not an agricultural produce and therefore item 2 of Schedule-II of the A.P. (Agricultural Produce and Livestock) Markets Act, 1966 and therefore not in accordance with Section 2(1) of the Act and strike down item 2 of Schedule-II of the Act and to declare that stopping or otherwise obstructing the movement of Rice by the Respondents at the check posts or any other place, demanding and collecting Market Fee from the petitioners is illegal and beyond the scope of Rule 75 and not in accordance with Section 12 of the Act by issuing Writ of Mandamus or any other Writ, direction or appropriate order in the circumstance.

Counsel for the Petitioners : MR.D.RANGANATHA KUMAR

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the respondent Nos. 3 & 4: MRS. NANDA R. RAO.

The Court made the following :

*Form-NIC-OGS/WP{**RLD**}*

ORAL ORDER:

(per Hon'ble The Acting Chief Justice)

.....

1. Learned counsel for the petitioners submits that this writ petition is covered by the judgment of this Court dated 21.12.2004 in W.P.No.18977 of 2002 and batch.

2. Accordingly this writ petition is disposed of in terms of the judgment dated 21.12.2004 in W.P.No.18977 of 2002 and batch. No costs.

_____

BILAL NAZKI, ACJ.,

_____

G. CHANDRAIAH. J.,

Dated: 05.07.2005.

VRK.

To

1. The Secretary to Government, Food & Agriculture (Marketing) Dept., Secretariat, Hyderabad

2. The Director of Marketing, Govt., of AP. Hyderabad,

3. The Secretary, Agricultural Market Committee, Miryalguda, Nalgonda District.

4. The Secretary, Agricultural Market Committee, Nidamanoor, Nalgonda District.

5. Two CCs to G.P. for Agriculture, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE

G. CHANDRAIAH.

W.P.NO. 12586 OF 2004.

(Order of the Bench delivered by

Hon'ble The Acting Chief Justice)

Dt: 05.07.2005.